

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GLORIA COLLIER,

Plaintiff,

-against-

NATIONAL RAILROAD PASSENGER
CORPORATION d/b/a AMTRAK,

Defendant.

COMPLAINT

**Case Number:
24-CV-8934**

JURY TRIAL REQUESTED

INTRODUCTION

GLORIA COLLIER, (“Plaintiff”), brings this action by her undersigned counsel, makes the following Complaint against Defendant **NATIONAL RAILROAD PASSENGER CORPORATION d/b/a AMTRAK**, alleging as follows:

THE PARTIES

1. Plaintiff **GLORIA COLLIER** is a resident of the State of New York, County of Bronx.
2. Defendant **NATIONAL RAILROAD PASSENGER CORPORATION d/b/a AMTRAK**, upon information and belief is a foreign corporation within its principal place of business in Washington, D.C.

JURISDICTION & VENUE

3. On May 10, 2023, Gloria Collier was caused to fall and injure herself on property owned by Amtrak in Danville, Virginia, i.e., the Amtrak train station platform as she disembarked from New York Penn Station train #19 in Danville, VA.
4. More specifically, Gloria Collier suffered a fracture of orbital floor of the right eye and subconjunctival hemorrhage of the right eye at the Danville Amtrak station as the result of an uneven and cracked tile at the Amtrak station.

5. Accordingly, venue is proper in the Southern District of New York as Plaintiff is a resident of New York, County of Bronx and Defendant is licensed to do business and is doing business in the State of New York.

6. Jurisdiction in the United States District Court for the Southern District of New York is proper pursuant to 28. U.S.C. § 1332, 1441 because this suit involves parties of diverse citizenship and seek an amount in controversy in excess of \$75,000.00.

FIRST CAUSE OF ACTION

7. On May 10, 2023, while Plaintiff GLORIA COLLIER was lawfully on the premises of the Danville Amtrak Station she was caused to trip and fall to the ground and sustain serious injury as a result of cracked and uneven tiles as she disembarked from train #19 leaving Penn Station in New York.

8. Amtrak owns and/or operates the Danville Amtrak Station.

9. Amtrak is responsible for maintaining their train station in a reasonably safe condition and would owe a duty to not present a danger to those individuals lawfully present on their premises, including Plaintiff, a lawful passenger.

10. The defective, cracked and uneven tiles that caused the plaintiff to fall had existed in that same defective condition for a period of time prior to Plaintiff's accident, and its defective condition was known to Defendant or should have been known to Defendant.

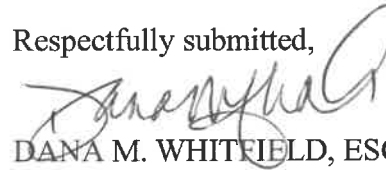
11. Defendant, despite knowing of the cracked, uneven and defective tiles at the Danville Station, failed to take steps to cure the defect, and failed to take steps to warn visitors to the Danville Station located at 677 Craghear Street, Danville, VA 24541, of the defect; more specifically the steps that lead from the platform.

12. As a result of Defendant's negligence, Plaintiff was injured.

WHEREFORE, Plaintiff GLORIA COLLIER, respectfully requests judgement in an amount exceeding the jurisdictional limits of this court.

Dated: November 21, 2024

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Dana M. Whitefield', is written over the typed name.

DANA M. WHITEFIELD, ESQ. (DMW-1033)
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File # 230031